THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 24455 of 1999

DATED:24-08-2005

Between:

B.Rama Rao S/o. B.Rajeshwar Rao
working at D.O.10 Masab Tank, Hyderabad.

..... PETITIONER

AND

1 The United India Insurance Co. Ltd. Rep. by its Chairman & Managing Director : Head OfficeChennnai.
2 The United India Insurance Co. Ltd. Rep. by its Manager, Regional Office at 3-5-817 and 818, Basheerbagh,Hyderabad.

.....RESPONDENT(S)

THE HONOURABLE SRI JUSTICE C.V.RAMULU

W.P.No.24455 of 1999

ORDER:

This writ petition is filed seeking a mandamus to declare the action of the respondents in not issuing appointment orders/promotion orders to the petitioner pursuant to the selection list dated 23-9-1998 issued by the first respondent vide proceedings Ref.No.HO:Mkts:CIR:075: 29 :98-99 as arbitrary and illegal.

A detailed counter affidavit has been filed. It is asserted that the petitioner applied for the post of Assistant Administrative Officer for promotion for the year 1997-98. He applied for the same with an understanding that he will be in reserve since the promotion is meant for only for Hyderabad region. Therefore, his name was kept in contingency list and that list will be considered in the event of any other eligible promotee does not opt to take promotion in Hyderabad region. But however, none of the persons promoted, refused to take the promotion. Therefore, the question of considering the case of the petitioner does not arise. In fact, the

petitioner is not entitled for promotion under contingency quota ranking even for 1997-98. The very consideration for listing him under contingency list itself is an extending benevolence and he is at liberty to apply for subsequent years. In view of the stand taken in the counter, I am of the opinion that the cause in the writ petition does not survive and the writ petition is liable to be dismissed.

The writ petition is accordingly dismissed. No order as to costs.

_____ C.V.RAMULU,J

24-08-2005

Stp